

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA,

§

Plaintiff,

§

v.

§

Case No. 1:21-cv-00796-RP

THE STATE OF TEXAS,

§

Defendant.

§

**DEFENDANT'S UNOPPOSED MOTION
FOR LEAVE TO EXCEED PAGE LIMITS**

Defendant the State of Texas respectfully requests an extension of the page limit set by Local Rule CV-7(d)(3) for a filing that combines its response in opposition to Plaintiff's emergency motion for a temporary restraining order or preliminary injunction, a motion to dismiss, and an alternative motion for a stay pending appeal. Texas seeks permission to file a combined document that does not exceed 57 pages. In support of this motion, Texas states the following:

1. On September 15, 2021, the Court granted leave for the United States to file its emergency motion for a temporary restraining order or preliminary injunction on September 15, 2021. ECF 7. The 35-page motion is accompanied by 15 supporting declarations. ECF 8.
2. The parties have engaged in expedited discovery during the last week, including document production and 5 witness depositions.
3. As the Court has recognized, "this case presents complex, important questions of law that merit a full opportunity for the parties to present their positions to the Court." ECF 19.
4. Defendant files this motion in the interest of justice. Due to the nature and complexity of this case and the volume of information produced, additional pages are necessary to fully brief the issues raised in Plaintiff's motion.

5. In an effort to streamline the briefing in this case, Defendant combined its response to the preliminary injunction motion with a motion to dismiss. Combining the two briefs increases the number of pages necessary for this filing, but Defendant believes it reduces the total number of pages that would otherwise be filed and avoids burdening the Court with duplicative briefing.

6. The undersigned conferred with Plaintiff's counsel by email, who represented that Plaintiff did not oppose this motion.

Based on the foregoing, Texas respectfully requests that its unopposed motion for leave to file a response in excess of the page limits be granted.

Date: September 29, 2021

KEN PAXTON
Attorney General of Texas

BRENT WEBSTER
First Assistant Attorney General

Respectfully submitted.

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/s/ William T. Thompson
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COUNSEL FOR DEFENDANT

CERTIFICATE OF CONFERENCE

I certify that, on September 28 and 29, 2021, I conferred with Plaintiff's counsel, who represented that Plaintiff did not oppose this motion.

/s/ William T. Thompson
WILLIAM T. THOMPSON

CERTIFICATE OF SERVICE

I certify that on September 29, 2021, a true and accurate copy of the foregoing document was filed electronically (via CM/ECF) and served on all counsel of record.

/s/ William T. Thompson
WILLIAM T. THOMPSON